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TRANSMITTAL FORM

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| Total Number of Pages in This Submission | Application Number 10/760,634-Conf. #8269 Filing Date January 20, 2004 First Named Inventor Gregory E. Sancoff Art Unit 3734 Examiner Name Yabut, Diane D Attorney Docket Number D0188.70165US02 |
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ENCLOSURES (Check all that apply)

| | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Return Receipt Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Response to Interview Summary Record |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--------------------------------|----------|--------|
| Firm Name | WOLF, GREENFIELD & SACKS, P.C. | | |
| Signature | | | |
| Printed name | Walt Norfleet | | |
| Date | 20-April-2007 | Reg. No. | 52,078 |

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 4/20/07

Signature: (Lisa A. Robillard)



Docket No.: D0188.70165US02
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory E. Sancoff et al.
Serial No.: 10/760,634
Confirmation No.: 8269
Filed: January 20, 2004
For: APPARATUS AND METHOD FOR PLACING SUTURE WIRES
INTO TISSUE FOR THE APPROXIMATION AND TENSIONING
OF TISSUE
Examiner: Yabut, Diane D
Art Unit: 3734

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 20, 2007


Lisa A. Robillard

RESPONSE TO INTERVIEW SUMMARY RECORD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

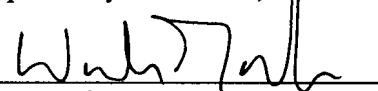
INTRODUCTORY COMMENTS

Applicant's representative Walt Norfleet appreciates the courtesies extended by Examiner Diane Yabut during a telephone interview on March 23, 2007. As noted in the Interview Summary record mailed on March 29, 2007, amendments that relate to a cutter being moveable in the instrument and freeing a suture wire loop from a distal end of a suturing instrument were discussed. Applicant does, however, wish to clarify that in no way does the Applicant concede that the Atala reference has a passageway that is capable of bending suture wire and/or deforming suture wire as long as the suture wire material is deformable, as well as cutting the suture wire with an interior cutting edge. Neither does the Applicant concede that Atala may be modified by using the axially movable cutting bar of Mericle, integrated in the shaft of the needle in Atala. Accordingly,

the comments in the Interview Summary, as phrased by the Examiner, should not be construed as concessions made by the Applicant during the interview or at any other time.

Dated: April 20, 2007

Respectfully submitted,

By 
Walt Norfleet

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